

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to INLAND PROPERTIES

3069 Fourth Street
Riverside, CA 92506

its heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property. Those portions of the public street rights of way of Brockton Avenue and Central Avenue together with those portions of those certain easements for sanitary sewer facilities conveyed to the City of Riverside by document recorded July 2, 1935 in Book 237, Page 175 of Official Records of Riverside County, and by document recorded July 23, 1947 in Book 841, Page 461 of Official Records of said County together with that portion of that certain easement for public utilities purposes conveyed to the City of Riverside by document recorded January 12, 1966, as Instrument No. 4183 Official Records of said County, all being as shown on the attached Exhibit "A",

in accordance with the terms hereof.

1. Permittee shall use and occupy the described property only in the manner and for the purposes as follows: Maintenance of an existing building encroaching into said public utilities easement, said sewer easement recorded July 2, 1935, and said public street right of way of Brockton Avenue, together with maintenance of an existing roof overhang encroaching a maximum of 5.7 feet into said public street right of way of Brockton Avenue, together with maintenance of existing parking areas encroaching into said public utilities easement, said sewer easement recorded July 23, 1947, and said public street right of way of Central Avenue together with maintenance of a 5.5' high concrete block wall encroaching into said public utilities easement and said sewer easement recorded July 23, 1947, all as shown on the attached Exhibit "A".

2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the property to be in the City of Riverside and waives any right to contest the validity of the dedication or grant.

3. Permittee acknowledges that the described property is the site of a proposed or planned public improvement and that, accordingly, all rights and privileges of use permitted shall cease and expire upon notice of revocation by the City. Upon the expiration or revocation, Permittee shall, within the time prescribed by the City, remove all improvements or obstructions placed, constructed or maintained by the Permittee. If the Permittee fails to abide by the removal order of the City within the time prescribed, the City shall have the right to remove and destroy the improvements without reimbursement to the Permittee and the cost of such removal shall be paid by the Permittee to the City of Riverside and shall constitute a debt owed to the City of Riverside.

4. Permittee, by acceptance hereof, waives the right of claim, loss, damage or action against the City of Riverside arising out of or resulting from revocation, termination, removal of the improvements or any action of the City of Riverside, its officers, agents or employees taken in accordance with the terms hereof.

5. Finding and determination by the City Council of the City of Riverside that the Permittee, or his heirs and assigns or successors in interest, are in default of the terms hereunder shall be cause for revocation.

6. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims, demands, costs, losses, damages, injuries, action for damages and/or injuries, and liability growing or arising out of or in connection with the construction, encroachment, and/or maintenance to be done by Permittee or his agents, employees or contractors within the described property.

DATED: APR 19 1989

CITY OF RIVERSIDE, a municipal corporation

By *Ch. Brown* Mayor

Attest *Alice A. Hare* City Clerk

The foregoing is accepted by:

Harvey Olesan
(Signature(s) of Permittee)
Inland Properties HARVEY OLESAN

APPROVED AS TO CONTENT

Bary Beck
Department Head (Public Works)

Dieter P. Witzfeld
Department Head (Public Utilities)

APPROVED AS TO FORM

John Woodhead
City Attorney

CITY MANAGER APPROVAL

Robert E. Fremont
City Manager